

REMARKS

Claims 1 to 9 are in the application.

With respect to the Preliminary Amendment filed March 29, 2006, Applicants respectfully point out that the Preliminary Amendment was prepared on the basis of the claims as they were changed during the International phase of this application. Since the requirements cited by the Examiner do not apply to the International phase, it is submitted that the nine claims of the International phase are the correct claims for preparing the Preliminary Amendment when entering the National phase.

Accordingly, the claims present in the application are claims 1 to 9 of the amended claims of the International phase.

As required in the Office Action, a proper abstract of the disclosure has been added on a separate page.

The claims have been amended to correct the informalities pointed out by the Examiner. Accordingly, the rejections of the claims under 35 U.S.C. 112, second paragraph, should be withdrawn.

Inasmuch as the Examiner has indicated in paragraph 12 of the Office Action that claim 3 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph, and to include of all the limitations of the base claim and any intervening claims, and claim 1 has been amended to include all of original claim 3, it is submitted that claim 1 and all the claims depending therefrom are now in condition for allowance.

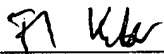
With respect to the reference WO 03/76220, Applicants submit that this reference does not disclose any lateral rigid body portions above the side windows; rather, the reference shows lateral frame portions which can be removed in order to realize a full convertible position. This reference concerns the vehicle by the name of Citroen Pluriel which at least in Europe has been available for several years. The relationships referred to above can be clearly observed at this vehicle.

In this connection, it must be further pointed out that, according to the reference, even though a full convertible is obtained, lateral guide rails are initially present and are not removed during the entire movement of the roof parts. This differs from the present invention in which removal from the guide rails takes place.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on June 27, 2008.

By:   
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Friedrich Kueffner

Date: June 27, 2008